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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

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9 WESTERN EXPLORATION LLC, *et al.*,

Case No. 3:15-cv-00491-MMD-VPC

10 Plaintiffs,

ORDER

11 v.

12 U.S. DEPARTMENT OF THE INTERIOR,
et al.,

13 Defendants.

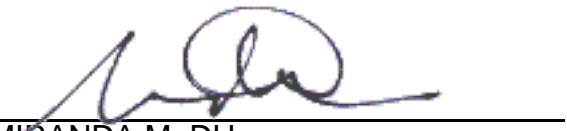
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15 The Court has reviewed Plaintiff State of Nevada's Motion to Permit Supplemental
16 Briefing ("Motion for Supplemental Briefing") and Motion to Postpone the February 1, 2017
17 Hearing ("Motion to Continue") (ECF No. 109), the responses thereto (ECF Nos. 115, 116,
18 118), and Defendants' response and motion to postpone the scheduled hearing
19 ("Defendants' Motion") (ECF No. 117). Defendants support the continuance of the hearing
20 to permit the incoming administration time to be briefed and consider whether any
21 supplemental briefing should occur.¹ However, the Court has not decided whether to
22 permit supplemental briefing, but will give the parties an opportunity to address this issue
23 at the hearing. The Court agrees with Intervenor-Defendants that the hearing could be
24 instructive on whether supplemental briefing should be permitted. The dispositive motions
25 have been fully briefed and pending for quite some time and due to the Court's upcoming

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27 ¹The Court understands the need to brief the incoming administration about this
case, but in terms of the issues to be addressed at the hearing, they have been fully briefed
so it is unclear what decisions would need to be made at this point. Nor do Defendants
28 explain why the hearing cannot proceed in the meantime.

1 trial schedule, postponing the hearing will result in further delays of several months.² The
2 February 1, 2017, hearing will proceed as scheduled and if the Court determines that
3 supplemental briefing is warranted, the Court will set a briefing schedule.

4 It is therefore ordered that Plaintiff's motion to postpone the February 1, 2017,
5 hearing (ECF No. 109) and Defendants' motion to postpone the hearing (ECF No. 117)
6 are denied.

7 DATED THIS 26th day of January 2017.

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11 MIRANDA M. DU
12 UNITED STATES DISTRICT JUDGE
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²Plaintiffs' motion for summary judgment was filed on April 1, 2016. (ECF No. 67.)